

**MINUTES**

**MONTANA SENATE  
58th LEGISLATURE - REGULAR SESSION**

**SELECT COMMITTEE ON REDISTRICTING AND APPORTIONMENT**

**Call to Order:** By **CHAIRMAN GREGORY D. BARKUS**, on February 21, 2003 at 4:00 P.M., in Room 350 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Gregory D. Barkus, Chairman (R)  
Sen. Fred Thomas (R)

**Members Excused:** Sen. Gerald Pease (D)

**Members Absent:** None.

**Staff Present:** Prudence Gildroy, Committee Secretary  
Susan Fox, Legislative Division  
Greg Petesch, Legislative Division

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: SB 445, 2/20/2003; SJ 23, 2/20/2003  
Executive Action: SB 445; SJ 23

**{Tape: 1; Side: A}**

*(Note: a five minute gap exists in the tape due to recorder malfunction.)*

**Hearing on SB 455**

**Sponsor:** SEN. GREGORY BARKUS, SD 39, Kalispell

**Proponents:** None

**Opponents:** None

**Informational Testimony:** None

**Opening Statement by Sponsor:**

**SEN. GREGORY BARKUS, SD 39, Kalispell**, opened on SB 445, a bill to repeal the transition section of the districting and apportionment plan that assigns holdover senators to new districts.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

**CHAIRMAN BARKUS** closed on the bill and requested a do pass recommendation.

**HEARING ON SJR 23**

**Sponsor:** **SEN. GREGORY BARKUS, SD 39, Kalispell**

**Proponents:** None

**Opponents:** None

**Opening Statement by Sponsor:**

**SEN. GREGORY BARKUS, SD 39, Kalispell** opened on SJ 23, a joint resolution of the Senate and House of Representatives assigning holdover senators for the transition to the new redistricting plan. He explained the criteria and justification for assigning holdover senators. (Note: tape resumes) **EXHIBIT (sds39a01)**  
**EXHIBIT (sds39a02)** **EXHIBIT (sds39a03)**

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

**CHAIRMAN BARKUS** closed on the bill and requested a dopass recommendation.

**EXECUTIVE ACTION ON SJR 23**

**Motion:** **SEN. THOMAS** moved that **SJR 23 DO PASS.**

**Discussion:**

**SEN. THOMAS** advised the resolution properly corrects some of the errors made in the assignment and properly fixes voter's best interests in district assignment of holdover senators and he therefore favored the resolution.

**Vote:** Motion that **SJR 23 DO PASS** carried 2-0.

**CHAIRMAN BARKUS** noted the excused absence of **SEN. GERALD PEASE.**

**EXECUTIVE ACTION ON SB 445**

**Motion:** **SEN. THOMAS** moved that **SB 445 DO PASS.**

**Discussion:**

**SEN. THOMAS** indicated the legislation is needed to make sure of compliance with legislation passed earlier in the session. SB 258 recognized the ability of the legislature to appropriately assign holdover seats. This legislation is necessary to pass so it is clear that the apportionment committee's assignments are not in effect because of current law and it is therefore recognized that they do not exist.

**Vote:** Motion that **SB 445 DO PASS** carried 2-0.

**SEN THOMAS** asked if more bills were assigned to the committee and **CHAIRMAN BARKUS** indicated SB 429 and 428--**SEN. JOHN ESP'S** bills. Discussion was held concerning the scheduling of the next meeting.

**SEN. THOMAS** advised the bills deal with the Constitutional Referendum to change the reapportionment process and the other is statutory deliniating the criteria of future apportionments.

**Greg Petesch, Legislative Services,** advised the bills could be heard simultaneously.

-Meeting was adjourned at 4:15 but reconvened at 4:17.-

**CHAIRMAN BARKUS** advised, for purposes of clarification, Senate District 43 does not conform with Plan 300 with the assignment of **SEN. SHERM ANDERSON** as a holdover.

**ADJOURNMENT**

Adjournment: 4:21 P.M.

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SEN. GREGORY D. BARKUS, Chairman

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PRUDENCE GILDROY, Secretary

GB/PG

**EXHIBIT (sds39aad)**